

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/809,365	03/26/2004	Tsugio Okamoto	119261	7633	
25944 75	90 05/02/2006		EXAMINER		
OLIFF & BERRIDGE, PLC			MRUK, GEOFFREY S		
P.O. BOX 19928 ALEXANDRIA, VA 22320			ART UNIT	PAPER NUMBER	
112211111211	-,		2853		
			DATE MAILED: 05/02/2006	DATE MAILED: 05/02/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/809,365	OKAMOTO, TSUGIO				
Office Action Summary	Examiner	Art Unit				
•	Geoffrey Mruk	2853				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with	the correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DATE of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period value of the reply within the set or extended period for reply will, by statute. Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICA 36(a). In no event, however, may a reply vill apply and will expire SIX (6) MONTH , cause the application to become ABAN	TION. y be timely filed S from the mailing date of this communication. DONED (35 U.S.C. § 133).				
Status		•				
1) Responsive to communication(s) filed on 26 M	arch 2004.					
,	This action is FINAL . 2b) This action is non-final.					
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
• • • •	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4)⊠ Claim(s) <u>1-12</u> is/are pending in the application.						
•	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-12 are subject to restriction and/or	election requirement					
	sicolion requirement.					
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correct						
11) ☐ The oath or declaration is objected to by the Ex	caminer. Note the attached C	Office Action or form PTO-152.				
Priority under 35 U.S.C. § 119		· .				
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document	s have been received.					
2. Certified copies of the priority document						
3. Copies of the certified copies of the prio		eceived in this National Stage				
application from the International Bureau	•	enived				
* See the attached detailed Office action for a list	of the certified copies not re	ceived.				
•						
Attachment(s)		•				
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date Paper No(s)/Mail Date Paper No(s)/Mail Date Other:						

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species:

Species 1, claims 1-9, drawn to an inkjet printer comprising a primary recovery portion that allows the ink flowing out from the cap through the ink outflow channel to flow into the primary recovery portion to recover the ink; and a secondary recovery portion including an ink absorber, which absorbs the ink due to a capillary phenomenon from the primary recovery portion to recover the ink.

Species 2, claim 10, drawn to an inkjet printer comprising a primary recovery portion mounted on the movable body, the primary recovery portion that allows the ink flowing out from the cap through the ink outflow channel to flow into the primary recovery portion recover the ink; and a secondary recovery portion fixed to the main body and including an ink absorber, which absorbs the ink due to a capillary phenomenon from the primary recovery portion recover the ink, wherein: the primary recovery portion comes into contact with the secondary recovery portion to allow the secondary recovery portion to absorb the ink from the primary recovery portion when the movable body reaches one of the first and second positions.

Species 3, claims 11-12, drawn to a cap unit for a maintenance unit of an ink jet printer, the cap unit comprising a valve that contacts an end portion of the channel to close the channel.

Art Unit: 2853

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is 571 272-2810. The examiner can normally be reached on 7am - 330pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GSM 4/28/2006

> STEPHEN MEIER SUPERVISORY PATENT EXAMINER